

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Claims 1-12 were pending in the application and claims 1-7 were rejected in the Office Action. Applicants appreciate the Examiner's indication of allowable subject matter in claims 8-12. In response to this positive indication, claim 8 has been placed in independent claim format, incorporating the limitations of the base claim, claim 1. In addition, as claims 9-12 depend from claim 8, claims 8-12 are now in condition for allowance. In addition, claim 1 has also been amended and new claim 13 has been presented. No new matter has been added.

1. Objection to the Specification

The Examiner objected to the Abstract because it contained: (a) the word "comprises;" and (b) more than 150 words. By way of the amendments provided herein, each of these objections has been fully obviated. Accordingly, the objection to the specification should be withdrawn.

2. Rejection of Claims 1-5 under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,107,708 ("Yamaguchi") in view of U.S. Patent No. 6,107,716 ("Penketh"). The Examiner admits that Yamaguchi does not teach a drive circuit which contains a switching section and a control section which are separated by a partition; the Examiner relies on Penketh to provide this absent teaching. To the extent this rejection could be applied to the present claims, Applicants respectfully traverse the rejection.

As amended, claim 1 recites that the circuit protection case, which includes the partition wall, is formed of plastic. By way of contrast, Penketh discloses heat generating transistors 25, 26 mounted on support member 21 in a first compartment 22. Further, Penketh's support member 21 (which the Examiner analogizes to the recited partition wall) is formed of metal and works as a heat sink, *i.e.*, it transmits heat generated by the transistors 25, 26 to a second compartment 23 on the side of the support member 21 opposite the first compartment 22. *See* Penketh at col. 4, lines 54-63. Penketh states that it provides the

support member 21 for good electromagnetic capability, not to provide a heat shielding effect. *See id.* at col. 5, lines 3-6. The partition wall recited in claim 1, on the other hand, serves as an insulator, *i.e.*, the partition walls serves to inhibit the transmission of heat from the first chamber (which contains the switching elements) to the second chamber (which contains the control section).

Where claim 1 recites a partition wall formed of plastic and where Penketh teaches a support wall made of metal, the combination of references fails to teach or suggest each of the limitations of claim 1. For this first reason, the rejection to claim 1 under § 103(a) should be withdrawn. Further, where Penketh teaches facilitating heat transmission by means of a heat sink formed of metal and where the invention recites a plastic partition wall, *i.e.*, a wall designed to inhibit heat transmission, one of ordinary skill in the art would not be motivated to combine Yamaguchi with Penketh to achieve the result recited in claim 1. For this second reason, the rejection of claim 1 under § 103(a) should also with withdrawn. In addition, as claims 2-5 depend from claim 1 and, therefore, recite all of the limitations of claim 1, these claims are allowable over the combination of references without regard to the other patent limitations recited therein. Accordingly, Applicants respectfully request a withdrawal of the rejection of claims 1-5 under § 103(a).

3. Rejection of Claim 6 under 35 U.S.C. § 103(a)

The Examiner rejects claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Yamaguchi in view of Penketh and further in view of U.S. Patent No. 5,969,445 ("Horiuchi"). As claim 6 depends from claim 1, it recites each of the limitations of claim 1. As previously discussed, the combination of Yamaguchi and Penketh fails to teach or suggest a partition wall made of plastic as recited in claim 6 through its dependency on claim 1. Horiuchi fails to cure this deficiency. Accordingly, as the combination of all three references fails to teach or suggest each of the limitations of claim 6, it can not used to reject the claim under § 103(a). Therefore, Applicants respectfully request a withdrawal of the rejection of claim 6 under § 103(a).

4. Rejection of Claim 7 under 35 U.S.C. § 103(a)

The Examiner rejects claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Yamaguchi in view of Penketh and Horiuchi and further in view of U.S. Patent No. 6,229,226 ("Kramer"). As claim 7 depends from claim 1, it recites each of the limitations of claim 1. As previously discussed, the combination of Yamaguchi, Penketh, and Horiuchi fails to teach or suggest a partition wall made of plastic as recited in claim 7 through its dependency on claim 1. Kramer fails to cure this deficiency. Accordingly, as the combination of all four references fails to teach or suggest each of the limitations of claim 7, it can not be used to reject the claim under § 103(a). Therefore, Applicants respectfully request a withdrawal of the rejection of claim 7 under § 103(a).

5. New Claim 13

New claim 13 recites, in part, a "partition wall . . . adapted to inhibit heat generated in the first chamber from passing to the second chamber." Clearly, Penketh's support member 21, which functions as a heat sink by transmitting heat generated by the transistors 25, 26 in the first compartment 22 to the second compartment 23, is not "adapted to inhibit heat generated in the first chamber from passing to the second chamber," as recited in new claim 13. Further, none of Yamaguchi, Horiuchi, or Kramer cures this deficiency of Penketh. Accordingly, new claim 13 is patentable over the combination of all four references.

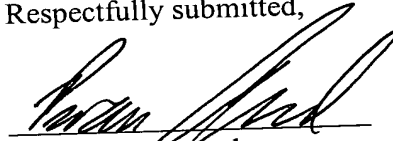
Serial No. 09/780,431

Attorney Docket No. 040679-1207

CONCLUSION

For the reasons stated above, claims 1-13 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,



Pavan K. Agarwal
Registration No. 40,888
Frederic T. Tenney
Registration No. 47,131

APR 09 2002

Date

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Phone: (202) 672-5300

Facsimile: (202) 672-5399

SHOULD ADDITIONAL FEES BE NECESSARY IN CONNECTION WITH THE FILING OF THIS PAPER, OR IF A PETITION FOR EXTENSION OF TIME IS REQUIRED FOR TIMELY ACCEPTANCE OF SAME, THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE DEPOSIT ACCOUNT NO. 19-0741 FOR ANY SUCH FEES; AND APPLICANT(S) HEREBY PETITION FOR ANY NEEDED EXTENSION OF TIME.